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REMARKS

Claims 1-28 are pending in the present application. Claims 11, 16, and 21 are rejected under 35 U.S.C. 112, and claims 1-28 are rejected under 35 U.S.C. 103. Claims 1, 11, 16, and 21 are amended, claims 2 and 15 are canceled, and claims 29-31 are added. No new matter is added. The rejections are respectfully traversed in light of the following remarks, and reconsideration is requested.

Rejections under 35 U.S.C. 112

Claims 11, 16, and 21 were rejected under 35 U.S.C. 112, second paragraph. The Examiner states that a transparent filter can be considered a white color filter. Also, the Examiner states that the Applicant's attempted distinction between Morozumi's white color filter and Applicant's transparent color filter or no color filter makes no sense.

Applicant agrees that a white filter and a transparent filter are the same or equivalent. This was not Applicant's argued distinction from the previous response. It was the fact that Morozumi discloses a white or transparent filter, while certain aspects of Applicant's invention do have any filter, whether it be a white filter or a transparent filter. A structure having a filter, colored, white or transparent, is clearly different than a structure having no filter, e.g., the latter structure does not require an additional filter formation, there is no space needed for the additional filter, etc.

Thus, Applicant believes that claims 11, 16, and 21, which recite no white or transparent filters (claims 11 and 21) and a white or transparent filter (claim 16) definitely and distinctly claim the invention. Accordingly, Applicant respectfully requests reconsideration of the rejections under 35 U.S.C. 112 after consideration of the arguments herein.

Rejections under 35 U.S.C. 103

Claims 1, 4, and 24 were rejected as being unpatentable over Kadota et al. (U.S. 6,031,512) in view of Morozumi (Re 33882).

Claim 1 has been amended to recite the limitations of claim 2, which the Examiner rejected in further view of Takizawa (U.S. 6,785,068).

In particular, the Examiner states that Morozumi discloses (column 10, row 48-60) the use of a second pixel electrode (associated with a white filter or a transparent filter) used to brighten the display, while Takizawa discloses (Column 3, row 58-63) the color (red, green,

blue) portion (first portion) is thicker than the light (white) color portion (second portion) to maintain a smooth surface (Column 5, rows 35-40).

Applicant agrees with the Examiner's interpretation of Takizawa in that Takizawa discloses deep color portions are thicker than light color portions. As seen from Fig. 12D, for example, deep color portions 412c, which correspond to red, green, and blue color layers 412r, 412g, and 412b, are thicker than the light color portions therebetween. (See, e.g., col. 3, lines 58-63; col. 10, lines 13-29; and col. 11, lines 18-36). Thus, the portions associated with the RGB portions are thicker than the light colored portions of the transparent layer.

In contrast, Applicant's claim 1 recites that "an organic insulating layer including a plurality of first portions disposed between the color filters and the first pixel electrodes and a plurality of second portions disposed under the second pixel electrodes and having thickness larger than the first portions". The first portions are the ones between color filters 230R, 230G, 230B and first pixel electrodes 190 (See Fig. 5). The second portions are the ones under the second pixel electrodes (the far right side of Fig. 5, just to the right of 230B). Thus, as recited in claim 1 and clearly seen in Fig. 5 (and page 9, lines 12-15 of Applicant's specification), the insulating layer over the color filters is thinner than the insulating layer over the white pixel electrode. This is opposite to what is disclosed in Takizawa, which teaches that the transparent layer over the colored portions is thicker than over the light colored portions.

Accordingly, Applicant believes that claim 1 is patentable over Kadota in view of Morozumi and Takizawa.

Various other references (Kawase (U.S. 6,787,275), Sunohara (U.S. 5,587,819), Yamada (U.S. 6,798,471, Kim (U.S. 20020145695), Kim (U.S. 6,462,798), and Park (U.S. 20020074549)) were cited for teaching the limitations of the dependent claims. Park was also cited in combination with other references for rendering independent claims 11, 16, and 21 unpatentable.

In reviewing these five references, Applicant believes that none of these references remedies the deficiencies of Kadota, Morozumi, and Takizawa as applied to claim 1 and discussed above.

Accordingly, Applicant believes claim 1 is patentable over the cited references because none of the above, either alone or in combination, teach "an organic insulating layer including a plurality of first portions disposed between the color filters and the first pixel

electrodes and a plurality of second portions disposed under the second pixel electrodes and having thickness larger than the first portions".

Independent claim 11 is amended to recite that "the second protective layer includes a plurality of first portions disposed on the color filters and a plurality of second portions disposed on the white pixel areas, wherein the second portions are thicker than the first portions". Thus, for reasons similar to claim 1, claim 11 is believed patentable over the cited references.

Independent claim 16 has been amended to recite that "the pixel electrodes formed on the blue filter or transparent filter has a smaller area than the pixel electrodes formed on the red or green filters". Independent claim 21 has been amended to recite that "the white or blue pixel electrodes have a smaller area than the red or green pixel electrodes". Support for the claim amendments is found in Applicant's specification at page 7, lines 3-5. Thus, no new matter is added. The relevant cited references teach or show that the area of the blue pixel (or white pixel) is the same as the area of the green or red pixel.

Accordingly, Applicant believes claims 16 and 21 are patentable over the cited references.

The remaining claims depend on claims 1, 11, 16, and 21 and would thus be patentable for at least the same reasons as claims 1, 11, 16, and 21.

Claims 2 and 15 are canceled, as their respective limitations have been incorporated into independent claims 1 and 11.

New Claims

Dependent claims 29-31 have been added, support for which is found at page 7, lines 3-5. Claims 29 and 30 depend on claim 1 and claim 31 depends on claim 11. Accordingly, claims 29-31 are patentable over the cited references for at least the same reasons as claims 1 and 11 discussed above. Furthermore, since claims 29-31 recite limitations similar to that of independent claims 16 and 21, they are patentable for the additional reason of claims 16 and 21.

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CONCLUSION

For the foregoing reasons, Applicant believes pending claims 1, 3-14, and 16-31 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 752-7040.

Certification of Facsimile Transmission
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Monique M. Butler — December 27, 2006
Date of Signature

Respectfully submitted,

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